

MARGARET DONNELLAN TODD  
COUNTY LIBRARIAN

November 25, 2003

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**SET PUBLIC HEARING TO ADOPT RESOLUTION  
FOR SPECIAL TAX MEASURE ON MARCH 2, 2004 ELECTION BALLOT  
(All Districts) (3-VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Set a public hearing for December 2, 2003 for the purpose of considering the resolution submitted by a city requesting the Board to place the County Library's special tax measure on the city's March 2, 2004 Primary Election ballot.
2. Following the public hearing, adopt the attached resolutions for the Cities of La Puente and Avalon, and adopt a resolution in substantially the same form as the attached draft resolution for any additional cities that come forward, instructing the County Registrar-Recorder/County Clerk to take any and all steps necessary to submit the question of the special tax to the qualified voters within the requesting city at the March 2, 2004 election.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will set a public hearing date for the Board to consider resolutions from cities served by the County Library but not currently participating in the Library's special tax to be included in the special tax program by placing the special tax measure on the city's Primary Election ballot on March 2, 2004.

On June 23, 2003 the Board approved a motion to restore \$7.3 million to the Public Library's 2003-04 budget. That motion was approved with a requirement that all cities served by the County Library that are not currently participating in the Library's special tax place a measure on their local ballot by June 30, 2004 to give their voters the opportunity to vote on whether to participate in the special tax.

On July 2, 2003 I sent letters to the seven cities with municipal elections in November advising them of the Board's June 23 action, and inviting each city to consider submitting a resolution to its council for approval in time for the Board to place the special tax measure on the city's November ballot. However, no city chose to take action for the November election. On November 7, 2003 I reminded cities of the opportunity to request that the Board place the special tax measure on city ballots for the March 2, 2004 Primary Election. Two cities have taken the necessary action, and I am aware that other cities are considering action in time for the Board to act for the March Primary Election.

In order to respond to any city resolutions, the Board must set and conduct a public hearing to consider the city's request. In addition, the Board must adopt its own resolution instructing the County Registrar-Recorder/County Clerk to place the measure on the ballot.

### **Implementation of Strategic Plan Goals**

Approval of the recommended actions is consistent with the County's Strategic Plan in the area of fiscal responsibility to effectively manage financial resources and to financially stabilize the County.

### **FISCAL IMPACT/FINANCING**

Placing this measure on individual city ballots will incur additional election costs for the County. It is therefore required that each city requesting this action include a provision in the resolution adopted by the city council which provides for reimbursement to the County for the additional election costs if the special tax measure is not approved by the voters. If the measure is approved, the election costs will be taken from the special tax proceeds.

If the special tax measure is approved by a city's voters, the County will be able to include that city in the Library's special tax program and levy the special tax against parcels within the city in the same amounts and for the same purposes as the special tax is levied by the County against parcels in other portions of the Library's service area to fund library services and facilities. The amount of the special tax revenue raised in each city varies depending on the number of parcels subject to the tax. In June, I advised the Board of the potential special tax revenue that each city not currently participating in the Library's special tax might generate. A copy of that revenue estimate is provided as Attachment A for the Board's reference and information. Those estimates are based on the current special tax rate approved for Fiscal Year 2003-04.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The County Public Library's special tax was created by voter approval of Proposition L at the June 3, 1997 special election, and the tax was first levied for the 1997-98 Fiscal Year. The special tax is currently levied in 11 cities and the unincorporated areas served by the Public Library. The special tax rate for Fiscal Year 2003-04 is \$24.76 per parcel.

A city that is not currently participating in the special tax may do so by submitting the matter to the qualified voters in the city and obtaining approval of the measure by two-thirds of the voters. The Cities of La Puente and Avalon have already adopted resolutions requesting that the Board place the measure on the March ballot.

The latest date the Board can act to put a measure on the March ballot is December 2, 2003. To take such an action, the Board must set and conduct a public hearing, and adopt a resolution placing the measure on the ballot pursuant to Government Code Section 50077. It is recommended that the Board set a public hearing for Tuesday, December 2, 2003 to consider any resolution that may be submitted by a city requesting that the special tax be placed on its March ballot. Setting the hearing for December 2 will allow the latest possible opportunity for a city to submit its resolution to the Board so that the Board may act by the last date allowed by law to place a matter on the March ballot. Attachments B and C are resolutions prepared by County Counsel for that purpose for the Cities of La Puente and Avalon. Attachment D is a draft resolution to be used at the public hearing for any additional cities that come forward prior to the hearing requesting the Board to take this action. A final version of the draft resolution will be prepared for each additional city prior to the public hearing on December 2.

The Honorable Board of Supervisors  
November 25, 2003  
Page 4

### **IMPACT ON CURRENT SERVICES**

If more cities participate in the Public Library's special tax it will provide additional revenue to augment service levels in those cities, or to offset the impact of other potential revenue losses or budget reductions. Due to the County's serious budget constraints, this potential source of additional revenue could be a key to maintaining or supplementing existing service levels for cities served by the County Library. If cities choose not to participate in the special tax program, the service levels provided will be based on available revenue from other sources, and continuation of current service levels cannot be assured.

Respectfully submitted,

Margaret Donnellan Todd  
County Librarian

MDT:DF:jc

U:\COMMON\BORDLTRS\Special Tax-City Ballots-March 2-04 Primary Election2.wpd

### **Attachments**

c:     Chief Administrative Officer  
       County Counsel  
       Registrar-Recorder/County Clerk

COUNTY OF LOS ANGELES PUBLIC LIBRARY			
CITIES NOT CURRENTLY PARTICIPATING IN THE SPECIAL TAX			
	CITY	NO. OF PARCELS*	TOTAL REVENUE**
1	Agoura Hills	7,528	\$186,393.28
2	Artesia	3,952	97,851.52
3	Avalon	1,648	40,804.48
4	Baldwin Park	14,664	363,080.64
5	Bell	4,249	105,205.24
6	Bell Gardens	4,174	103,348.24
7	Bellflower	13,048	323,068.48
8	Bradbury	405	10,027.80
9	Carson	23,752	588,099.52
10	Claremont	9,586	237,349.36
11	Compton	19,758	489,208.08
12	Diamond Bar	18,009	445,902.84
13	Gardena	13,836	342,579.36
14	Hawaiian Gardens	2,576	63,781.76
15	Hawthorne	11,798	292,118.48
16	Hermosa Beach	6,834	169,209.84
17	Hidden Hills	707	17,505.32
18	Huntington Park	7,364	182,332.64
19	La Habra Heights	2,153	53,308.28
20	La Mirada	13,999	346,615.24
21	La Puente	7,554	187,037.04
22	La Verne	9,735	241,038.60
23	Lancaster	42,486	1,051,953.36
24	Lawndale	5,703	141,206.28
25	Malibu	6,751	167,154.76
26	Manhattan Beach	12,724	315,046.24
27	Montebello	12,677	313,882.52
28	Norwalk	23,255	575,793.80
29	Paramount	9,100	225,316.00
30	Pico Rivera	14,644	362,585.44
31	Rosemead	10,511	260,252.36
32	San Dimas	10,697	264,857.72
33	San Fernando	5,021	124,319.96
34	San Gabriel	9,275	229,649.00
35	South El Monte	4,402	108,993.52
36	South Gate	15,928	394,377.28
37	Temple City	9,837	243,564.12
38	Walnut	8,787	217,566.12
39	West Covina	25,510	631,627.60
40	Westlake Village	3,609	89,358.84
		<b>GRAND TOTAL</b>	<b>\$10,603,370.96</b>
*Parcel data taken from the 2003 Assessor's Annual Report.			
**Total revenue calculated by multiplying total parcels times the Fiscal Year 2003-04 special tax rate of \$24.76.			

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF LOS ANGELES PROVIDING FOR AND GIVING  
NOTICE OF A SPECIAL TAX MEASURE FOR THE PRIMARY  
ELECTION TO BE HELD IN THE CITY OF LA PUENTE  
ON MARCH 2, 2004**

**WHEREAS**, the City of La Puente is within the service area of the County of Los Angeles Public Library, which provides library services and facilities to the residents of the City of La Puente; and

**WHEREAS**, the City Council of the City of La Puente recognizes that it is necessary and desirable that the County of Los Angeles (the "County") levy a special tax against parcels within the City of La Puente ("City") to provide adequate funding for library services and facilities to the residents of the City, and in that regard adopted a Resolution on October 28, 2003 requesting that the County submit the question to the qualified voters within the City; and

**WHEREAS**, Article XIII A, Section 4 of the California Constitution and Sections 50075 et seq., of the California Government Code permit the County, following notice and a public hearing, to propose the adoption of a special tax for specified purposes and to levy the special tax, following approval by at least two-thirds of the voters voting upon the proposition; and

**WHEREAS**, the revenue collected by the special tax will be used for the specific purpose of funding Library Services and Facilities (defined in Section 3 below) in the same manner as the revenue that is collected by the special tax levied by the County against parcels in other portions of the service area of the County of Los Angeles Public Library; and

**WHEREAS**, a presidential primary election is scheduled to be held on March 2, 2004, which election will be conducted by the Los Angeles County Registrar-Recorder/ County Clerk;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of the County of Los Angeles as follows:

**Section 1.** A special election shall be held and the same is hereby called and

ordered to be held in the City of La Puente, on the 2nd day of March, 2004, for the purpose of submitting to the voters of the City of La Puente the question of whether a special tax should be levied by the County of Los Angeles in the amounts and for the purposes hereinafter set forth.

**Section 2.** Commencing with Fiscal Year 2004-2005, an annual special tax to raise revenue for the specific purpose of funding Library Services and Facilities (defined below in Section 3) is hereby imposed upon parcels of property located within the City of La Puente. The maximum amount of the special tax per parcel for the initial fiscal year, July 1, 2004 to June 30, 2005, shall not exceed \$25.26 per parcel of property; thereafter the maximum amount of the special tax shall increase by 2%, or the percentage change in the consumer price index for the prior fiscal year, whichever is less. For any fiscal year, the County of Los Angeles Public Library may levy the special tax at less than the maximum amount per parcel which action may be taken without notice or public hearing. The County of Los Angeles shall not levy, or shall cease to levy, the special tax within the City, if the City withdraws from the service area of the County of Los Angeles Public Library, beginning with the first fiscal year after such withdrawal takes effect.

**Section 3.** As used in this resolution, "Library Services and Facilities" means: public library services and facilities including, but not limited to, buildings, equipment, materials, vehicles and other facilities for the conduct of public library services and programs; library lending services; information services; library collection development and maintenance; books, magazines, newspapers, journals and manuscripts; audio-visual, electronic media and other information materials; literacy programs; electronic access to information sources such as the Internet and The World Wide Web; education services for persons of all ages; administrative expenses related to the foregoing including the payment of salaries and benefits of library personnel and other incidental expenses; and to recover the costs of the election called pursuant to Section 1 hereof, and reasonable costs incurred by the County in spreading, billing and collecting the special tax.

**Section 4.** The County Librarian and officers of the County of Los Angeles Public Library and County of Los Angeles are hereby authorized and directed, individually and collectively, to do any and all things and to execute, deliver, and perform any and all

agreements and documents that they deem necessary or advisable in order to effectuate the purposes of this Resolution. All actions heretofore taken by the officers and agents of the County of Los Angeles Public Library that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

**Section 5.** The Auditor-Controller of the County of Los Angeles shall create a new account into which the proceeds from the special tax authorized herein shall be deposited. The Auditor-Controller shall file a report with the County Board of Supervisors by no later than January 1, 2006, and by January 1 of each year thereafter, stating the amount of funds collected and expended pursuant to this measure; and also the status of the projects required or authorized to be funded pursuant to Section 3.

**Section 6.** The County of Los Angeles Public Library shall expend the revenues raised from this special tax only for the purposes identified in Section 3.

**Section 7.** The Treasurer and Tax Collector of the County of Los Angeles shall collect the special tax authorized herein for the initial Fiscal Year 2004-2005 and for subsequent fiscal years, on the tax roll at the same time and in the same manner, and subject to the same penalties as the ad valorem property taxes fixed and collected by or on behalf of the County of Los Angeles.

**Section 8.** Insofar as feasible, all laws and procedures regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens and collections for secured roll ad valorem property taxes shall be applicable to the collection of this special tax. The secured roll tax bills shall be the only notices required for any special tax levied.

**Section 9.** The County Librarian shall establish and administer an appeals process to address and correct potential errors or inequities in the levy of the special tax authorized herein.



**Section 10.** The Proposition for the County to levy a special tax in the City of La Puente shall appear on the ballot substantially as follows:

PROPOSITION \_\_\_\_\_. LIBRARY SERVICES AND FACILITIES  
FUNDING

To provide adequate funding for library services and facilities to the residents of the City of La Puente, shall all property owners in the City of La Puente pay a special tax per parcel of property not to exceed \$25.26 in the initial year?

Yes ☐

No ☐

**Section 11.** The votes cast for and against the Proposition shall be separately counted and if the Proposition receives the required number of votes, to wit: two-thirds of the votes of the qualified electors in the City voting on the Proposition, the special tax in the amounts and for the purposes stated herein shall be effective and levied by the County.

**Section 12.** All qualified voters of the City of La Puente shall be permitted to vote in the election and in all particulars not recited in this resolution the election shall be held as nearly as practicable in conformity with the Elections Code of the State of California.

**Section 13.** The election called by this resolution shall be consolidated with the presidential primary election conducted by the Registrar-Recorder/County Clerk to be held in the County of Los Angeles on March 2, 2004, and the Proposition shall be placed on the same ballot to the extent the elections are concurrent, and the same precincts, polling places, election officers and facilities shall be used for the election.

**Section 14.** Based upon all of the facts before it on this matter, the Board of Supervisors finds that the submission of this question of a special tax to the voters is not subject to, or is exempt from, the California Environmental Quality Act ( CEQA) on the independent grounds that:

**A.** It is not a project as defined by 14 California Code of Regulations Section 15378(b)(3 ) relating to ballot measures submitted to a vote of the people. The proposal for a special tax is required by law to be submitted to a vote as set out in this Resolution and does not address or commit funds to any specific project at this time,

**B.** It is not a project as defined by 14 California Code of Regulations Section 15378 (b)(4) relating to the creation of government funding mechanisms which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

Further, the Board finds that the submission of this question to the voters also would be exempt from CEQA, if it were a project, on the independent basis of the following exemptions:

**A.** It is exempt based upon Public Resources Code Section 21080 (b)(8) and 14 California Code of Regulations Section 15273 (a) because the Board of Supervisors finds as specifically set out in this Resolution, that the special tax is for the purpose of (A) meeting operating expenses, including employee wage rates and fringe benefits, (B) purchasing or leasing supplies, equipment or materials, (C) meeting financial reserve needs and requirements, and (D) obtaining funds for capital projects necessary to maintain service within existing service areas;.

**B.** It is exempt based upon 14 California Code of Regulations Section 15301 relating to the operation and minor alteration of existing public or private structures with a negligible expansion of an existing use;

**C.** It is exempt based upon 14 California Code of Regulations Section 15061 (b)(3) which provides the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and it can be seen with certainty that there is no possibility that the submission of this question to the voters will have a significant effect on the environment.

/ / /

/ / /

/ / /

/ / /

/ / /

/ / /

/ / /

The foregoing resolution was on the\_\_\_\_\_ day of December, 2003, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS, Executive  
Officer-Clerk of the Board of Supervisors of  
the County of Los Angeles

By:\_\_\_\_\_

Deputy

APPROVED AS TO FORM:  
LLOYD W. PELLMAN  
County Counsel

By:\_\_\_\_\_

Deputy

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF LOS ANGELES PROVIDING FOR AND GIVING  
NOTICE OF A SPECIAL TAX MEASURE FOR THE PRIMARY  
ELECTION TO BE HELD IN THE CITY OF AVALON  
ON MARCH 2, 2004**

**WHEREAS**, the City of Avalon is within the service area of the County of Los Angeles Public Library, which provides library services and facilities to the residents of the City of Avalon; and

**WHEREAS**, the City Council of the City of Avalon recognizes that it is necessary and desirable that the County of Los Angeles (the "County") levy a special tax against parcels within the City of Avalon ("City") to provide adequate funding for library services and facilities to the residents of the City, and in that regard adopted a Resolution on October 21, 2003 requesting that the County submit the question to the qualified voters within the City; and

**WHEREAS**, Article XIII A, Section 4 of the California Constitution and Sections 50075 et seq., of the California Government Code permit the County, following notice and a public hearing, to propose the adoption of a special tax for specified purposes and to levy the special tax, following approval by at least two-thirds of the voters voting upon the proposition; and

**WHEREAS**, the revenue collected by the special tax will be used for the specific purpose of funding Library Services and Facilities (defined in Section 3 below) in the same manner as the revenue that is collected by the special tax levied by the County against parcels in other portions of the service area of the County of Los Angeles Public Library; and

**WHEREAS**, a presidential primary election is scheduled to be held on March 2, 2004, which election will be conducted by the Los Angeles County Registrar-Recorder/ County Clerk;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of the County of Los Angeles as follows:

**Section 1.** A special election shall be held and the same is hereby called and ordered to be held in the City of Avalon, on the 2nd day of March, 2004, for the purpose of

submitting to the voters of the City of Avalon the question of whether a special tax should be levied by the County of Los Angeles in the amounts and for the purposes hereinafter set forth.

**Section 2.** Commencing with Fiscal Year 2004-2005, an annual special tax to raise revenue for the specific purpose of funding Library Services and Facilities (defined below in Section 3) is hereby imposed upon parcels of property located within the City of Avalon. The maximum amount of the special tax per parcel for the initial fiscal year, July 1, 2004 to June 30, 2005, shall not exceed \$25.26 per parcel of property; thereafter the maximum amount of the special tax shall increase by 2%, or the percentage change in the consumer price index for the prior fiscal year, whichever is less. For any fiscal year, the County of Los Angeles Public Library may levy the special tax at less than the maximum amount per parcel which action may be taken without notice or public hearing. The County of Los Angeles shall not levy, or shall cease to levy, the special tax within the City, if the City withdraws from the service area of the County of Los Angeles Public Library, beginning with the first fiscal year after such withdrawal takes effect.

**Section 3.** As used in this resolution, "Library Services and Facilities" means: public library services and facilities including, but not limited to, buildings, equipment, materials, vehicles and other facilities for the conduct of public library services and programs; library lending services; information services; library collection development and maintenance; books, magazines, newspapers, journals and manuscripts; audio-visual, electronic media and other information materials; literacy programs; electronic access to information sources such as the Internet and The World Wide Web; education services for persons of all ages; administrative expenses related to the foregoing including the payment of salaries and benefits of library personnel and other incidental expenses; and to recover the costs of the election called pursuant to Section 1 hereof, and reasonable costs incurred by the County in spreading, billing and collecting the special tax.

**Section 4.** The County Librarian and officers of the County of Los Angeles Public Library and County of Los Angeles are hereby authorized and directed, individually and collectively, to do any and all things and to execute, deliver, and perform any and all agreements and documents that they deem necessary or advisable in order to effectuate the purposes of this Resolution. All actions heretofore taken by the officers and agents of the County of Los Angeles Public Library that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

**Section 5.** The Auditor-Controller of the County of Los Angeles shall create a new account into which the proceeds from the special tax authorized herein shall be deposited. The Auditor-Controller shall file a report with the County Board of Supervisors by no later than January 1, 2006, and by January 1 of each year thereafter, stating the amount of funds collected and expended pursuant to this measure; and also the status of the projects required or authorized to be funded pursuant to Section 3.

**Section 6.** The County of Los Angeles Public Library shall expend the revenues raised from this special tax only for the purposes identified in Section 3.

**Section 7.** The Treasurer and Tax Collector of the County of Los Angeles shall collect the special tax authorized herein for the initial Fiscal Year 2004-2005 and for subsequent fiscal years, on the tax roll at the same time and in the same manner, and subject to the same penalties as the ad valorem property taxes fixed and collected by or on behalf of the County of Los Angeles.

**Section 8.** Insofar as feasible, all laws and procedures regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens and collections for secured roll ad valorem property taxes shall be applicable to the collection of this special tax. The secured roll tax bills shall be the only notices required for any special tax levied.

**Section 9.** The County Librarian shall establish and administer an appeals process to address and correct potential errors or inequities in the levy of the special tax authorized herein.

**Section 10.** The Proposition for the County to levy a special tax in the City of Avalon shall appear on the ballot substantially as follows:

PROPOSITION \_\_\_\_\_. LIBRARY SERVICES AND FACILITIES  
FUNDING

To provide adequate funding for library services and facilities to the residents of the City of Avalon, shall all property owners in the City of Avalon pay a special tax per parcel of property not to exceed \$25.26 in the initial year?

Yes ☐

No ☐

**Section 11.** The votes cast for and against the Proposition shall be separately counted and if the Proposition receives the required number of votes, to wit: two-thirds of the votes of the qualified electors in the City voting on the Proposition, the special tax in the amounts and for the purposes stated herein shall be effective and levied by the County.

**Section 12.** All qualified voters of the City of Avalon shall be permitted to vote in the election and in all particulars not recited in this resolution the election shall be held as nearly as practicable in conformity with the Elections Code of the State of California.

**Section 13.** The election called by this resolution shall be consolidated with the presidential primary election conducted by the Registrar-Recorder/County Clerk to be held in the County of Los Angeles on March 2, 2004, and the Proposition shall be placed on the same ballot to the extent the elections are concurrent, and the same precincts, polling places, election officers and facilities shall be used for the election.

**Section 14.** Based upon all of the facts before it on this matter, the Board of Supervisors finds that the submission of this question of a special tax to the voters is not subject to, or is exempt from, the California Environmental Quality Act ( CEQA) on the independent grounds that:

**A.** It is not a project as defined by 14 California Code of Regulations Section 15378(b)(3 ) relating to ballot measures submitted to a vote of the people. The proposal for a special tax is required by law to be submitted to a vote as set out in this Resolution and does not address or commit funds to any specific project at this time,

**B.** It is not a project as defined by 14 California Code of Regulations Section 15378 (b)(4) relating to the creation of government funding mechanisms which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

Further, the Board finds that the submission of this question to the voters also would be exempt from CEQA, if it were a project, on the independent basis of the following exemptions:

**A.** It is exempt based upon Public Resources Code Section 21080 (b)(8) and 14 California Code of Regulations Section 15273 (a) because the Board of Supervisors finds as specifically set out in this Resolution, that the special tax is for the purpose of (A) meeting operating expenses, including employee wage rates and fringe benefits, (B) purchasing or leasing supplies, equipment or materials, (C) meeting financial reserve needs and requirements, and (D) obtaining funds for capital projects necessary to maintain service within existing service areas;.

**B.** It is exempt based upon 14 California Code of Regulations Section 15301 relating to the operation and minor alteration of existing public or private structures with a negligible expansion of an existing use;

**C.** It is exempt based upon 14 California Code of Regulations Section 15061 (b)(3) which provides the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and it can be seen with certainty that there is no possibility that the submission of this question to the voters will have a significant effect on the environment.

/ / /

/ / /

/ / /

/ / /

/ / /

/ / /



The foregoing resolution was on the\_\_\_\_\_ day of December, 2003, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS, Executive  
Officer-Clerk of the Board of Supervisors of  
the County of Los Angeles

By:\_\_\_\_\_

Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN

County Counsel

By:\_\_\_\_\_

Deputy

**DRAFT**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF LOS ANGELES PROVIDING FOR AND GIVING  
NOTICE OF A SPECIAL TAX MEASURE FOR THE PRIMARY  
ELECTION TO BE HELD IN THE CITY OF \_\_\_\_\_  
ON MARCH 2, 2004**

**WHEREAS**, the City of \_\_\_\_\_ is within the service area of the County of Los Angeles Public Library, which provides library services and facilities to the residents of the City of \_\_\_\_\_; and

**WHEREAS**, the City Council of the City of \_\_\_\_\_ recognizes that it is necessary and desirable that the County of Los Angeles (the "County") levy a special tax against parcels within the City of \_\_\_\_\_ ("City") to provide adequate funding for library services and facilities to the residents of the City, and in that regard adopted a Resolution on October 21, 2003 requesting that the County submit the question to the qualified voters within the City; and

**WHEREAS**, Article XIII A, Section 4 of the California Constitution and Sections 50075 et seq., of the California Government Code permit the County, following notice and a public hearing, to propose the adoption of a special tax for specified purposes and to levy the special tax, following approval by at least two-thirds of the voters voting upon the proposition; and

**WHEREAS**, the revenue collected by the special tax will be used for the specific purpose of funding Library Services and Facilities (defined in Section 3 below) in the same manner as the revenue that is collected by the special tax levied by the County against parcels in other portions of the service area of the County of Los Angeles Public Library; and

**WHEREAS**, a presidential primary election is scheduled to be held on March 2, 2004, which election will be conducted by the Los Angeles County Registrar-Recorder/ County Clerk;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Supervisors of the County of Los Angeles as follows:

**Section 1.** A special election shall be held and the same is hereby called and

ordered to be held in the City of \_\_\_\_\_, on the 2nd day of March, 2004, for the purpose of submitting to the voters of the City of \_\_\_\_\_ the question of whether a special tax should be levied by the County of Los Angeles in the amounts and for the purposes hereinafter set forth.

**Section 2.** Commencing with Fiscal Year 2004-2005, an annual special tax to raise revenue for the specific purpose of funding Library Services and Facilities (defined below in Section 3) is hereby imposed upon parcels of property located within the City of \_\_\_\_\_. The maximum amount of the special tax per parcel for the initial fiscal year, July 1, 2004 to June 30, 2005, shall not exceed \$25.26 per parcel of property; thereafter the maximum amount of the special tax shall increase by 2%, or the percentage change in the consumer price index for the prior fiscal year, whichever is less. For any fiscal year, the County of Los Angeles Public Library may levy the special tax at less than the maximum amount per parcel which action may be taken without notice or public hearing. The County of Los Angeles shall not levy, or shall cease to levy, the special tax within the City, if the City withdraws from the service area of the County of Los Angeles Public Library, beginning with the first fiscal year after such withdrawal takes effect.

**Section 3.** As used in this resolution, "Library Services and Facilities" means: public library services and facilities including, but not limited to, buildings, equipment, materials, vehicles and other facilities for the conduct of public library services and programs; library lending services; information services; library collection development and maintenance; books, magazines, newspapers, journals and manuscripts; audio-visual, electronic media and other information materials; literacy programs; electronic access to information sources such as the Internet and The World Wide Web; education services for persons of all ages; administrative expenses related to the foregoing including the payment of salaries and benefits of library personnel and other incidental expenses; and to recover the costs of the election called pursuant to Section 1 hereof, and reasonable costs incurred by the County in spreading, billing and collecting the special tax.

**Section 4.** The County Librarian and officers of the County of Los Angeles Public Library and County of Los Angeles are hereby authorized and directed, individually and collectively, to do any and all things and to execute, deliver, and perform any and all agreements and documents that they deem necessary or advisable in order to effectuate the purposes of this Resolution. All actions heretofore taken by the officers and agents of the County of Los Angeles Public Library that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

**Section 5.** The Auditor-Controller of the County of Los Angeles shall create a new account into which the proceeds from the special tax authorized herein shall be deposited. The Auditor-Controller shall file a report with the County Board of Supervisors by no later than January 1, 2006, and by January 1 of each year thereafter, stating the amount of funds collected and expended pursuant to this measure; and also the status of the projects required or authorized to be funded pursuant to Section 3.

**Section 6.** The County of Los Angeles Public Library shall expend the revenues raised from this special tax only for the purposes identified in Section 3.

**Section 7.** The Treasurer and Tax Collector of the County of Los Angeles shall collect the special tax authorized herein for the initial Fiscal Year 2004-2005 and for subsequent fiscal years, on the tax roll at the same time and in the same manner, and subject to the same penalties as the ad valorem property taxes fixed and collected by or on behalf of the County of Los Angeles.

**Section 8.** Insofar as feasible, all laws and procedures regarding exemptions, due dates, installment payments, corrections, cancellations, refunds, late payments, penalties, liens and collections for secured roll ad valorem property taxes shall be applicable to the collection of this special tax. The secured roll tax bills shall be the only notices required for any special tax levied.

**Section 9.** The County Librarian shall establish and administer an appeals process to address and correct potential errors or inequities in the levy of the special tax authorized herein.

**Section 10.** The Proposition for the County to levy a special tax in the City of \_\_\_\_\_ shall appear on the ballot substantially as follows:

PROPOSITION \_\_\_\_\_. LIBRARY SERVICES AND FACILITIES  
FUNDING

To provide adequate funding for library services and facilities to the residents of the City of \_\_\_\_\_, shall all property owners in the City of \_\_\_\_\_ pay a special tax per parcel of property not to exceed \$25.26 in the initial year?

Yes ☐  
No ☐

**Section 11.** The votes cast for and against the Proposition shall be separately counted and if the Proposition receives the required number of votes, to wit: two-thirds of the votes of the qualified electors in the City voting on the Proposition, the special tax in the amounts and for the purposes stated herein shall be effective and levied by the County.

**Section 12.** All qualified voters of the City of \_\_\_\_\_ shall be permitted to vote in the election and in all particulars not recited in this resolution the election shall be held as nearly as practicable in conformity with the Elections Code of the State of California.

**Section 13.** The election called by this resolution shall be consolidated with the presidential primary election conducted by the Registrar-Recorder/County Clerk to be held in the County of Los Angeles on March 2, 2004, and the Proposition shall be placed on the same ballot to the extent the elections are concurrent, and the same precincts, polling places, election officers and facilities shall be used for the election.

**Section 14.** Based upon all of the facts before it on this matter, the Board of Supervisors finds that the submission of this question of a special tax to the voters is not subject to, or is exempt from, the California Environmental Quality Act ( CEQA) on the independent grounds that:

**A.** It is not a project as defined by 14 California Code of Regulations Section 15378(b)(3 ) relating to ballot measures submitted to a vote of the people. The proposal for a special tax is required by law to be submitted to a vote as set out in this Resolution and does not address or commit funds to any specific project at this time,

**B.** It is not a project as defined by 14 California Code of Regulations Section 15378 (b)(4) relating to the creation of government funding mechanisms which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

Further, the Board finds that the submission of this question to the voters also would be exempt from CEQA, if it were a project, on the independent basis of the following exemptions:

**A.** It is exempt based upon Public Resources Code Section 21080 (b)(8) and 14 California Code of Regulations Section 15273 (a) because the Board of Supervisors finds as specifically set out in this Resolution, that the special tax is for the purpose of (A) meeting operating expenses, including employee wage rates and fringe benefits, (B) purchasing or leasing supplies, equipment or materials, (C) meeting financial reserve needs and requirements, and (D) obtaining funds for capital projects necessary to maintain service within existing service areas;.

**B.** It is exempt based upon 14 California Code of Regulations Section 15301 relating to the operation and minor alteration of existing public or private structures with a negligible expansion of an existing use;

**C.** It is exempt based upon 14 California Code of Regulations Section 15061 (b)(3) which provides the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and it can be seen with certainty that there is no possibility that the submission of this question to the voters will have a significant effect on the environment.

/ / /

/ / /

/ / /

/ / /

/ / /

/ / /

/ / /

The foregoing resolution was on the\_\_\_\_\_ day of December, 2003, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS, Executive  
Officer-Clerk of the Board of Supervisors of  
the County of Los Angeles

By:\_\_\_\_\_

Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN

County Counsel

By:\_\_\_\_\_

Deputy



# City of La Puente

15900 E. Main Street La Puente, CA 91744-4719 Telephone (626) 855-1500 Fax (626) 961-4626 [www.lapuente.org](http://www.lapuente.org)

November 3, 2003

Honorable Members of the Board of Supervisors  
Room 383, Kenneth Hahn Hall of Administrators  
500 West Temple Street  
Los Angeles, CA 90012

Re: SPECIAL TAX ELECTION FOR LIBRARY SERVICES IN THE CITY  
OF LA PUENTE

Honorable Members of the Board of Supervisors:

The La Puente City Council, at their meeting of October 28, 2003, adopted Resolution No. 03-4347 Requesting that the Board of Supervisors of the County of Los Angeles Provide for a Special Tax Election to be Held in the City of La Puente. The resolution requests the County to submit to the qualified voters within the City, the question of a special tax to be levied by the County against parcels within the City for library services. The resolution further requests the Board of Supervisors to issue instructions to the Los Angeles County Registrar-Recorder/County Clerk to take any and all steps necessary for the submission of the question of the special tax to the qualified voters within the City at the March 2, 2004, election.

Enclosed is a certified copy of Resolution No. 03-4347.

Sincerely,

Carol Cowley  
Administrative Services Director/City Clerk

CAC/s  
Enclosure



**RESOLUTION NO. 03-4347**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
LA PUENTE, CALIFORNIA, REQUESTING THAT THE  
BOARD OF SUPERVISORS OF THE COUNTY OF LOS  
ANGELES PROVIDE FOR A SPECIAL TAX ELECTION TO  
BE HELD IN THE CITY OF LA PUENTE**

**WHEREAS**, the City of La Puente is within the service area of the County of Los Angeles Public Library, which provides library services and facilities to the residents of the City of La Puente; and

**WHEREAS**, the City Council of the City of La Puente recognizes that it is necessary and desirable that the County of Los Angeles (the "County") levy a special tax against parcels within the City of La Puente ("City") to provide adequate funding for library services and facilities to the residents of the City; and

**WHEREAS**, the revenue collected by the special tax will be used to fund library services and facilities in the same manner as the revenue that is collected by the special tax levied by the County against parcels in other portions of the service area of the County of Los Angeles Public Library; and

**WHEREAS**, the City currently has scheduled a state primary election to be held on March 2, 2004, which election will be conducted by the Los Angeles County Registrar-Recorder/County Clerk;

**NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF  
THE CITY OF LA PUENTE:**

Section 1. Finds that the public health, safety, and economic welfare of the City will be promoted by participating in the special tax levy and that the special tax levy and that the territory of the City will benefit from the proposed library services and facilities.

Section 2. Requests that the County submit to the qualified voters within the City, at the State Primary election to be held in the City on March 2, 2004, the question of a special tax to be levied by the County against parcels within the City in the same amounts and for the same purposes as the special tax levied by the County against parcels in other portions of the service area of the County of Los Angeles Public Library to raise revenue to fund library services and facilities.

Section 3. Requests that the Board of Supervisors of the County of Los Angeles issue instructions to the Los Angeles County Registrar-Recorder/County Clerk to take any and all steps necessary for the submission of the question of the special tax to the qualified voters within the City at the March 2, 2004 election.

Section 4. Recognizing that additional costs will be incurred by the County by reason of this election, the City agrees to reimburse the County for those additional costs.


Section 5. Directs the City Clerk to file a certified copy of this resolution with the Board of Supervisors and the Los Angeles County Registrar-Recorder/County Clerk.

**PASSED, APPROVED AND ADOPTED ON** this 28<sup>th</sup> day of October, 2003 by the following vote:

AYES:	COUNCILMEMBERS:	Storing, Perez, Chavez, Lujan
NOES:	COUNCILMEMBERS:	Solis
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

  
\_\_\_\_\_  
Louis R. Perez, Mayor

ATTEST:

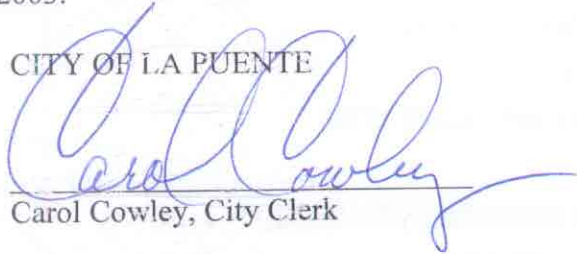
  
\_\_\_\_\_  
Carol Cowley, City Clerk

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES )

I, Carol Cowley, duly appointed City Clerk of the City of La Puente, do hereby certify the foregoing Resolution No. 03-4347 is a true and correct copy of the original contained in the La Puente Book of Resolutions as the same appears on file in my office.

Under penalty of perjury, I have hereunto set my hand and affixed the seal of the City of La Puente, this 28th day of October 2003.

CITY OF LA PUENTE

  
\_\_\_\_\_  
Carol Cowley, City Clerk



# CITY OF CARSON

OFFICE OF THE CITY CLERK

December 11, 2003

Los Angeles County Registrar Recorder/County Clerk  
Election Preparation Division  
Priscilla Smith, Division Manager  
12400 Imperial Highway  
Norwalk, CA 90650

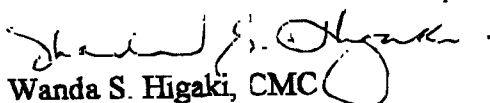
Re: City of Carson  
March 2, 2004 Special Municipal Election

Enclosed please find a certified copy of the following election resolution:

Resolution No. 03-163, "A Resolution of the City Council of the City of Carson, California, Requesting the Board of Supervisors of the County of Los Angeles Provide for a Special Tax Election for Library Services to be Held in the City of Cason on March 2, 2004."

Sincerely,

HELEN S. KAWAGOE, CMC/MMC  
CITY CLERK

  
Wanda S. Higaki, CMC  
Chief Deputy City Clerk

Enclosure

G:\joy\sfolder\election\so3-2-04

I hereby certify that this document is  
a full, true, and correct copy of the  
document on file in this office

*John S. Keweenaw*  
City Clerk, City of Carson, CA

By *Tera Monoh*  
Deputy

12-11-03  
Date



**RESOLUTION NO. 03-163**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA  
REQUESTING THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS  
ANGELES PROVIDE FOR A SPECIAL TAX ELECTION FOR LIBRARY SERVICES TO BE  
HELD IN THE CITY OF CARSON ON MARCH 2, 2004

**WHEREAS**, the City of Carson is within the service area of the County of Los Angeles Public Library which provides library services and facilities to the residents of the City of Carson; and

**WHEREAS**, the City Council of the City of Carson recognizes that it is necessary and desirable that the County of Los Angeles (the "County") levy a special tax against parcels within the City of Carson ("City") to provide adequate funding for library services and facilities to the residents of the City; and

**WHEREAS**, the revenue collected by the special tax will be used to fund library services and facilities in the same manner as the revenue that is collected by the special tax levied by the County against parcels in other portions of the service area of the County of Los Angeles Public Library; and

**WHEREAS**, the City currently has scheduled a special municipal election to be held on March 2, 2004, which election will be conducted by the Los Angeles County Registrar-Recorder/County Clerk;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Carson:

**Section 1.** Finds that the public health, safety, and economic welfare of the City will be promoted by participating in the special tax levy and that the territory of the City will benefit from the proposed library services and facilities.

**Section 2.** Requests that the County submit to the qualified voters within the City, at the general municipal election to be held in the City on March 2, 2004, the question of a special tax to be levied by the County against parcels within the city in the same amounts and for the same purposes as that special tax levied by the County against parcels in other portions of the service area of the County of Los Angeles Public Library to raise revenue to fund library services and facilities.

**Section 3.** Requests that the Board of Supervisors of the County of Los Angeles issues instructions to the Los Angeles County Registrar-Recorder/County Clerk to take any and all steps necessary for the submission of the question of the special tax to the qualified voters within the City at the March 2, 2004 election.

**Section 4.** Recognizing that additional costs will be incurred by the County by reason of this election, the City agrees to reimburse the County for those additional costs.

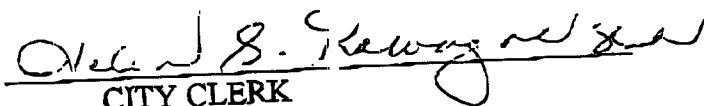
Resolution No. 03-163  
Page 2 of 2

**Section 5.** Directs the City Clerk to file a certified copy of this resolution with the Board of Supervisors and the Los Angeles County Registrar-Recorder/County Clerk.

**PASSED, APPROVED AND ADOPTED** this 11<sup>th</sup> Day of December 2003.

  
PRESIDING OFFICER

ATTEST:

  
CITY CLERK

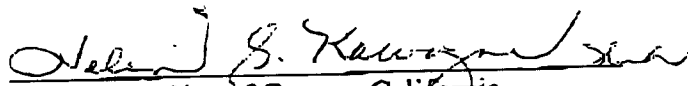
APPROVED AS TO FORM:

  
CITY ATTORNEY

STATE OF CALIFORNIA           )  
COUNTY OF LOS ANGELES    ) ss.  
CITY OF CARSON                )

I, Helen S. Kawagoe, City Clerk of the City of Carson, California, do hereby certify that the whole number of members of the City Council is four; that the foregoing resolution, being Resolution No. 03-163 as duly and regularly adopted by said Council at a special meeting duly and regularly held on the 11<sup>th</sup> day of December, 2003, and that the same was passed and adopted by the following vote:

AYES:	COUNCIL MEMBERS:	Presiding Officer Dear, Santarina, and Raber
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	Calas

  
City Clerk, City of Carson, California